

REMARKS/ARGUMENTS

1.) Withdrawal of Prior Claim Rejections

The Applicants thank the Examiner for recognizing that claims 14, 15, 17-19 and 22-25 are not anticipated by Li, *et al.* (U.S. Patent Publication No. 2003/0169681) and withdrawing the prior claim rejections. For the reasons submitted *infra*, those claims are also not obvious over Li in view of Engstrom, *et al.* (U.S. Patent No. 5,909,436).

2.) Examiner Objections - Claims

The Examiner objected to claims 14 and 23 because of certain informalities. The Applicants have amended those claims to correct the typographical errors noted by the Examiner.

3.) Claim Rejections – 35 U.S.C. §103(a)

The Examiner rejected claims 14, 15, 17-19, and 22-25 as being unpatentable over Li, *et al.* (U.S. Patent Publication No. 2003/0169681) in view of Engstrom, *et al.* (U.S. Patent No. 5,909,436); claims 16, 20 and 26 as being unpatentable over Li in view of Walton, *et al.* (U.S. Patent Publication No. 2003/0081538); and, claim 21 as being unpatentable over Li in view of Alvesalo, *et al.* (U.S. Patent No. 6,650,655). The Applicants traverse the rejections.

Claims 14, 15, 17-19 and 22-25

In the prior office action, the Examiner rejected claim 14 as anticipated by Li. In the present office action, the Examiner has withdrawn that rejection and rejected claim 14 as obvious over Li in view of Engstrom, acknowledging that "Li is silent to detecting a presence of an acquisition channel by a mobile station for mobile station search purposes and that the detected acquisition channel relates to size and location of operational bands." (emphasis added) What claim 14 actually recites, however, is "transmitting information signals, over [a] detected acquisition channel, relating to size and location of operational bands of the radio spectrum used by the system; wherein the information signals comprise information of the bandwidth and location in the

spectrum of the operational bands as part of the information in one or more sub carriers of the bands." Engstrom fails to teach those claim elements.

The purpose of Applicants' invention is to inform a mobile station which *operational bands* of radio spectrum are used by the wireless system, including the size and location of such bands; the information signals transmitted on a dedicated acquisition channel include that information as part of the information in one or more sub carriers of the operational bands." In looking to the teachings of Engstrom to overcome the acknowledged deficiencies in the teachings of Li, the Examiner notes that Engstrom discloses "[transmitting] an acknowledgement on the AGCH together with data informing the mobile station which sub-carriers will be employed for a DICH (dedicated information channel) and DCCH (dedicated control channel)." Engstrom only teaches transmitting data informing a mobile station which sub-carriers will be employed for a dedicated information channel and a dedicated control channel; i.e., Engstrom does not teach transmitting information that identifies the operational bands of radio spectrum used by the wireless system. In contrast, as those skilled in the art understand, an operational band includes a series of sub-carriers, as illustrated in Figure 1 of the application; illustrated are operational bands I, II and III, of which band II is shared by network operators A and B (see claim 21). It is information regarding the size and locations of such operational bands that is transmitted on a dedicated acquisition channel according to the principles of the Applicants' invention, which is not taught by Engstrom. Accordingly, claim 14 is not obvious over Li in view of Engstrom.

Whereas independent claims 23-25 recite limitations analogous to those claim 14, those claims are also not obvious over Li in view of Engstrom. Furthermore, whereas claims 15, 17-19 and 22 are dependent from claim 14, and include the limitations thereof, they are also not obvious in view of those references.

Claims 16, 20 and 26

The Examiner rejected claims 16, 20 and 26 as being unpatentable over Li in view of Walton, *et al.* Claims 16 and 20 are dependent from claim 14 and claim 26 is dependent from claim 25, however, which the Examiner rejected as being unpatentable

over Li in view of Engstrom. The Applicants, therefore, will treat the Examiner's rejection of claims 16, 20 and 26 as based on Li in view of *Engstrom* and further in view of Walton. As established *supra*, claims 14 and 25 are not obvious over Li in view of Engstrom, and the Examiner has not pointed to any teaching in Walton to overcome the failure of those references to teach the transmission of information regarding the size and locations of operational bands on a dedicated acquisition channel. Therefore, claims 16, 20 and 26 are patentable over the teachings of Li, Engstrom and Walton.

Claim 21

The Examiner rejected claim 21 as being unpatentable over Li in view of Alvesalo. Claim 21, however, is dependent from claim 14, which the Examiner rejected as being unpatentable over Li in view of Engstrom. The Applicants, therefore, will treat the Examiner's rejection of claim 21 as based on Li in view of *Engstrom* and further in view of Alvesalo. As established *supra*, claim 14 is not obvious over Li in view of Engstrom, and the Examiner has not pointed to any teaching in Alvesalo to overcome the failure of those references to teach the transmission of information regarding the size and locations of operational bands on a dedicated acquisition channel. Therefore, claim 21 is patentable over the teachings of Li, Engstrom and Alvesalo.


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CONCLUSION

In view of the foregoing amendments and remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 14-26.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,


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